

Message Text

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ORIGIN EUR-12

INFO OCT-01 ISO-00 DHA-02 H-02 DODE-00 /017 R

DRAFTED BY EUR/NE:REWOODS:LP

APPROVED BY EUR/NE:JJCROWLEY, JR.

EUR - DANIEL GOOTT

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P 022256Z DEC 76

FM SECSTATE WASHDC

TO AMEMBASSY STOCKHOLM PRIORITY

C O N F I D E N T I A L STATE 294129

E.O. 11652: GDS

TAGS: SHUM, SW

SUBJECT: DRAFT HUMAN RIGHTS REPORT ON SWEDEN

1. THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED BY THE INTERNATIONAL SECURITY ASSISTANCE ACT AND ARMS CONTROL ACT OF 1976, REQUIRES THAT THE SECRETARY OF STATE SUBMIT TO CONGRESS REPORTS ON THE OBSERVANCE OF HUMAN RIGHTS IN EACH COUNTRY PROPOSED FOR SECURITY ASSISTANCE. THIS IS DEFINED TO INCLUDE SUPPORTING ASSISTANCE, FOREIGN MILITARY SALES, CERTAIN COMMERCIAL SALES, CREDITS AND OTHER PROGRAMS. THE RELEVANT AMENDED SECTION (502 B) TRANSMITTED REFTEL.

2. THE FOLLOWING DRAFT FOLLOWS A STANDARD FORMAT AND IS SPECIFICALLY RESPONSIVE TO THE REQUIREMENTS OF PARAGRAPH (D) (1) OF SECTION 502 B AS AMENDED. IT IS PROPOSED FOR SUBMISSION TO CONGRESS AS AN UNCLASSIFIED DOCUMENT IN EARLY 1977. PENDING FINAL CLEARANCE, HOWEVER, THE REPORT IS CLASSIFIED CONFIDENTIAL.

3. EMBASSY IS REQUESTED TO REVIEW DRAFT FOR ACCURACY, COMPLETENESS, AND RESPONSIVENESS TO THE REQUIREMENTS OF SECTION 502 B. SEND CONCURRENCE AND/OR COMMENTS BY PRIORITY CABLE.

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4. BEGIN TEXT. I. POLITICAL SITUATION

SWEDEN IS A CONSTITUTIONAL MONARCHY WITH A LONG AND WELL ESTABLISHED HISTORY OF ORDERLY AND DEMOCRATIC POLITICAL LIFE.

II. LEGAL SITUATION

THE FUNDAMENTAL POLITICAL FREEDOMS AND HUMAN RIGHTS OF SWEDISH CITIZENS ARE GUARANTEED BY THE INSTRUMENT OF GOVERNMENT. THIS PLUS TWO OTHER CONSTITUTIONAL LAWS-- THE SUCCESSION ACT AND THE FREEDOM OF THE PRESS ACT-- TOGETHER MAKE UP THE SWEDISH CONSTITUTION.

A REVISED INSTRUMENT OF GOVERNMENT WAS ADOPTED BY THE SWEDISH PARLIAMENT IN 1974. IT PROPOUNDS A SET OF ABSOLUTE RIGHTS, WHICH CAN ONLY BE RESTRICTED BY AMENDMENTS TO THE CONSTITUTION. THESE RIGHTS OF SWEDISH CITIZENS INCLUDE PROHIBITIONS AGAINST: BANISHMENT FROM SWEDEN; LOSS OF CITIZENSHIP; RETROACTIVE PENAL LEGISLATION; ESTABLISHMENT OF SPECIAL COURTS TO TRY PREVIOUSLY COMMITTED CRIMES; AND DEPRIVATION OF LIBERTY WITHOUT TRIAL BY A COURT OF LAW.

OTHER LEGISLATION GUARANTEES FREEDOMS OF PRESS, RELIGION, ASSEMBLY AND ASSOCIATION.

III. OBSERVANCE OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS

SWEDEN'S RECORD IN THE FIELD OF HUMAN RIGHTS IS EXCELLENT. FOR THE SWEDES THEMSELVES, BASIC RIGHTS ARE GUARANTEED BY THE CONSTITUTION AND LEGISLATION CITED ABOVE. THESE RIGHTS ARE PROTECTED NOT ONLY IN LAW BUT IN PRACTICE. CAPITAL PUNISHMENT, IN PEACE OR WAR, WAS ABOLISHED BY LAW IN 1973. IN PRACTICE, NO EXECUTION HAS TAKEN PLACE IN SWEDEN SINCE 1910. SWEDISH OMBUDSMEN, APPOINTED BY THE PARLIAMENT, ARE SPECIFICALLY CHARGED WITH THE INVESTIGATION OF COMPLAINTS OF PRIVATE CITIZENS WHO BELIEVE THEIR RIGHTS HAVE BEEN VIOLATED. OMBUDSMEN ENJOY CONFIDENTIAL

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FULL AUTONOMY.

INTERNATIONALLY, SWEDEN OCCUPIES A PROMINENT POSITION IN EFFORTS TO ENHANCE HUMAN RIGHTS. IN THE UN, SHE HAS BEEN ACTIVE IN SUPPORT OF INITIATIVES AGAINST TORTURE, CAMPAIGNED FOR MEASURES TO ENSURE RELIGIOUS TOLERANCE, AND PROPOSED THE OUTLAW OF CAPITAL PUNISHMENT. SWEDEN HAS RATIFIED THE TWO INTERNATIONAL COVENANTS AND THE OPTIONAL

PROTOCOL OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS,

AND IS A PARTY TO THE EUROPEAN CONVENTION ON HUMAN RIGHTS.

IV. OTHER HUMAN RIGHTS REPORTING

AMNESTY INTERNATIONAL ADOPTED TWO SWEDISH CONSCIENTIOUS OBJECTORS DURING 1975-76. SWEDISH LAW PROVIDES AN ALTERNATIVE CIVILIAN SERVICE FOR CONSCIENTIOUS OBJECTORS. THE BENEFIT OF THIS CONCESSION IS REDUCED BY THE FACT THAT THE CIVILIAN SERVICE IS LONGER THAN THE PERIOD OF COMPULSORY MILITARY SERVICE AND BECAUSE THE ALTERNATIVE SERVICE IS USUALLY OF SUCH A NATURE AS TO CONTRIBUTE TO THE "TOTAL DEFENSE" OF THE COUNTRY.

OF THE TWO CASES ADOPTED BY AMNESTY INTERNATIONAL, JOHAN MATS AMVALL HAS HAD HIS APPLICATION FOR ALTERNATIVE SERVICE REJECTED THREE TIMES. ON EACH OCCASION HE RECEIVED A PROGRESSIVELY HEAVIER PRISON SENTENCE OF RESPECTIVELY ONE, TWO AND THREE MONTHS. (THE LAST SENTENCE WAS REDUCED TO TWO MONTHS.) JONAS K. LINDERHORN HAS REFUSED TO APPLY FOR ALTERNATIVE SERVICE. HE HAS RECENTLY BEEN SENTENCED TO TWO MONTHS AFTER HAVING SERVED TWO PREVIOUS TERMS OF ONE AND TWO MONTHS RESPECTIVELY.

FREEDOM HOUSE LIST SWEDEN AS "FREE". KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, REPORTS
Control Number: n/a
Copy: SINGLE
Draft Date: 02 DEC 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: izenbei0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE294129
Document Source: CORE
Document Unique ID: 00
Drafter: REWOODS:LP
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760447-0660
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761277/aaaacpdf.tel
Line Count: 141
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: izenbei0
Review Comment: n/a
Review Content Flags:
Review Date: 26 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <26 JUL 2004 by BoyleJA>; APPROVED <30 AUG 2004 by izenbei0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: DRAFT HUMAN RIGHTS REPORT ON SWEDEN
TAGS: SHUM, SW
To: STOCKHOLM
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006